



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 12-1586

Report No. SCL-00133

Thursday October 4, 2012

Actions Taken Under Cable Landing License Act

Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

These applications have been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

Transfer of Control

Grant of Authority

Date of Action: 10/03/2012

Current Licensee: CABLE & WIRELESS AMERICAS SYSTEMS, INC.**FROM:** Cable & Wireless Worldwide plc**TO:** Vodafone Europe BV

Application filed for consent to the transfer of the control of cable landing license for the Apollo Cable system, SCL-LIC-20010122-00002, held by Cable & Wireless Americas Systems, Inc. (CWAS), from Cable & Wireless Worldwide plc (CWW) to Vodafone Europe B.V. (Vodafone EU). The Apollo Cable system is a non-common carrier fiber-optic cable system between the United States, the United Kingdom, and France.

CWAS has a 60% and controlling interest in Apollo Submarine Cable Systems Ltd., the licensee of the Apollo Cable system. Alcatel-Lucent has a 40% ownership interest in Apollo Submarine Cable Systems Ltd. The Alcatel-Lucent ownership is not affected by this transaction.

Vodafone EU will acquire 100% of the shares of CWW. As a result, CWW and CWAS will become direct and indirect wholly-owned subsidiaries of Vodafone EU, respectively. Vodafone EU will thus have an indirect 60% controlling interest in Apollo Submarine Cable Systems Ltd. and the Apollo Cable system.

Vodafone EU, a company organized in the Netherlands and based in the United Kingdom, is an indirect wholly-owned subsidiary of Vodafone Group plc, a United Kingdom corporation. Vodafone Group plc is a widely-held corporation for which there are no ten percent or greater direct or indirect shareholders.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on September 28, 2012, by the Department of Homeland Security, on behalf of itself and the Department of Defense. Accordingly, we condition grant of the application on Vodafone Europe B.V. abiding by the commitments and undertakings contained in its September 7, 2012 letter to the Assistant Secretary for Policy, U.S. Department of Homeland Security and Department of Defense Chief Information Officer (September 7 2012 Letter). A copy of the Petition and the September 7 2012 Letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20120613-00007 and accessing "Other filings related to this application" from the Document Viewing area.